

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

IN RE:

MARY KATHLEEN SCANLON,

Debtor.

Case No: 19-72382-FJS

BANK OF AMERICA, N.A.,

Movant,

Chapter 7

v.

MARY KATHLEEN SCANLON,  
TOM C. SMITH, JR., Trustee,

Respondents.

**RESPONSE TO MOTION FOR RELIEF FROM STAY**

NOW COMES the Chapter 7 Trustee, Tom C. Smith, Trustee, and states the following as his Response to the Motion for Relief filed on behalf of Bank of America, N.A., to-wit:

1. That the Trustee admits paragraphs (1) one, (2) two, (3) three, (4) four, (5) five, (6) six, (7) seven, (8) eight and (13) thirteen of the Motion.
2. That the Trustee has been unable to verify certain facts alleged by the Movant and the Trustee can neither admit nor deny paragraphs (9) nine, (10) ten, (11) eleven and (12) twelve.
3. That the Trustee denies paragraph (14) fourteen.

Tom C. Smith, Trustee  
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4. That the Trustee estimates that there is approximately \$286,610.00 of equity in the said real property. The debtor has claimed equity in the property exempt in the amount of \$5,708.00. Subtracting 10% of the value of the real property as a cost of sale for the real property and subtracting the debtor's exemption and the balance owed on the mortgage, it appears there would be funds available for the bankruptcy estate in the sum of \$275,997.00. The debtor has listed \$234,926.70 in unsecured debt on her bankruptcy petition. It appears a sale of the debtor's real property by the bankruptcy Trustee could result in a 100% payment of the unsecured claims in the debtor's case.
5. That the Trustee should be granted 90 days to market the debtors property and obtain a contract to sell the property for the benefit of the bankruptcy estate.

WHEREFORE, the Trustee prays that the court dismiss the Motion for Relief filed on behalf of Bank of America, N.A.

By:   
Tom C. Smith, Trustee

**CERTIFICATE OF MAILING**

I hereby certify that a true copy of the foregoing Answer was mailed to Atty. for Bank of America, N.A., John J. Chappell, III, Glasser and Glasser, P.L.C., Crown Center, Suite 600, 580 East Main Street, Norfolk, VA 23510, debtor's Atty. Timothy V. Anderson, Anderson & Associates, P.C., 2492 North Landing Road, Suite 104, Virginia Beach, VA 23456, and debtor, Mary Kathleen Scanlon, 555 E. Lake Circle, Chesapeake, VA 23322, this 17 day of July, 2019.

  
Tom C. Smith, Trustee

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